

***IN THE DISTRICT COURT OF THE UNITED STATES***  
***for the Western District of New York***

---

**JANUARY 2020 GRAND JURY**  
**(Impaneled 01/03/2020)**

**THE UNITED STATES OF AMERICA**

**INDICTMENT**

**-VS-**

**JOSEPH LICATA**

**Violations:**

Title 18, United States Code,  
Sections 751(a), 1951(a), 2113(a), and  
4082(a)  
(4 Counts)

**COUNT 1**

**(Escape from Custody)**

**The Grand Jury Charges That:**

Between on or about January 17, 2020, and on or about January 21, 2020, in the Western District of New York, and elsewhere, the defendant, **JOSEPH LICATA**, did knowingly escape from custody of the United States Penitentiary Coleman II, 846 NE 54th Terrace, Sumterville, Florida, an institutional facility in which he was lawfully confined at the direction of the Attorney General by virtue of a judgment and commitment of the United States District Court for the Western District of New York upon conviction of a violation of Title 18, United States Code, Section 2113(a).

**All in violation of Title 18, United States Code, Sections 751(a) and 4082(a).**

**COUNT 2**

**(Bank Robbery)**

**The Grand Jury Further Charges That:**

On or about January 21, 2020, in the Western District of New York, the defendant, **JOSEPH LICATA**, by force and violence, and by intimidation, did take, and attempt to take, from the person and presence of another, money, namely, approximately \$313 in United States currency, belonging to and in the care, custody, control, management, and possession of M&T Bank, 130 Grant Street, Buffalo, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

**All in violation of Title 18, United States Code, Section 2113(a).**

**COUNT 3**

**(Entering a Bank with Intent to Commit a Larceny)**

**The Grand Jury Further Charges That:**

On or about January 21, 2020, in the Western District of New York, the defendant, **JOSEPH LICATA**, did enter, and attempt to enter, M&T Bank, 130 Grant Street, Buffalo, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation, with intent to commit in such bank a larceny.

**All in violation of Title 18, United States Code, Section 2113(a).**

**COUNT 4**

**(Hobbs Act Robbery)**

**The Grand Jury Further Charges That:**

1. At all times relevant to this Indictment, Speedway LLC operated a business involved in gas stations and convenience stores in New York and elsewhere, in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and in an industry which affected commerce.

2. On or about January 21, 2020, in the Western District of New York, the defendant, **JOSEPH LICATA**, did unlawfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in particular, by the robbery of assets of Speedway LLC, including United States currency, from, and in the presence of, Victim A, a person known to the Grand Jury.

**All in violation of Title 18, United States Code, Section 1951(a).**

DATED: Buffalo, New York, November 17, 2020.

JAMES P. KENNEDY, JR.  
United States Attorney

BY: S/BRENDAN T. CULLINANE  
Assistant United States Attorney  
United States Attorney's Office  
Western District of New York  
138 Delaware Avenue  
Buffalo, New York 14202  
716/843-5875  
Brendan.Cullinane@usdoj.gov

A TRUE BILL:

S/FOREPERSON